

PUBLIC NOTICE



FEDERAL COMMUNICATIONS COMMISSION
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WASHINGTON, D.C. 20554

DA 99-1609

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**PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA SEEKS
RETROACTIVE UNIVERSAL SERVICE SUPPORT ON BEHALF OF BELL
ATLANTIC-WASHINGTON, D.C., INC.**

PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Release Date: November 16, 1999

Comment Date: December 17, 1999

Reply Comment Date: January 7, 2000

FCC MAIL SECTION
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DISPATCHED

In the Fourth Order on Reconsideration, the Commission concluded that a state commission that is unable to designate as an eligible telecommunications carrier, by January 1, 1998, a carrier that sought such designation before January 1, 1998, should be permitted, once it has designated such carrier, to file with the Commission a petition for waiver requesting that the carrier receive universal service support retroactive to January 1, 1998.¹ A state commission filing such a petition must explain why it did not designate such carrier as eligible by January 1, 1998 and provide a justification for why providing support retroactive to January 1, 1998 serves the public interest. The Commission encouraged relevant carriers to file information demonstrating that they took reasonable steps to be designated as eligible telecommunications carriers by January 1, 1998.

On December 17, 1998, the Public Service Commission of the District of Columbia (DCPSC) sought universal service support retroactive to January 1, 1998 on behalf of Bell Atlantic-Washington, D.C., Inc. (BA-DC).² The DCPSC states that, on September 30, 1997, BA-DC filed an application with it requesting designation as an eligible carrier and BA-DC supplemented its application with additional information on December 23, 1997.³ The DCPSC believes a waiver is appropriate for several reasons. First, in 1994, the Council of the District of

¹ Federal-State Joint Board on Universal Service, Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, Transport Rate Structure and Pricing, End User Common Line Charge, CC Dockets 96-45, 96-262, 94-1, 91-213, 95-72, *Fourth Order on Reconsideration*, FCC 97-420 (rel. Dec. 30, 1997) at para. 23.

² The Public Service Commission of the District of Columbia, Petition for Waiver (filed Dec. 17, 1998).

³ *Id.* at 1.

Columbia mandated that the DCPSC reduce its staff by 40 percent in order to comply with a congressional mandate to reduce the total number of positions in the District government.⁴ Second, the DCPSC, like other District government agencies, has had considerable difficulty attracting and retaining experienced attorneys primarily because District government attorneys are grossly underpaid as compared to their counterparts in the federal and private sectors.⁵ Third, the Council eliminated the DCPSC's independent contracting authority as part of a District plan to centralize procurement functions.⁶ Finally, the DCPSC's workload has increased significantly.⁷ Parties wishing to comment on this petition are directed to file comments in accordance with the procedures set forth below.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **December 17, 1999**, and reply comments on or before **January 7, 2000**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24,121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To receive filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address.>" A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appear in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554.

Parties also must send three paper copies of their filing to Sheryl Todd, Accounting Policy Division, 445 Twelfth Street S.W., Room 5-A523, Washington, D.C. 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington, D.C. 20037.

⁴ *Id.* at 4.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* at 5.

Pursuant to section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

For further information, contact Katherine Schroder, Accounting Policy Division, Common Carrier Bureau at (202) 418-7400, TTY (202) 418-0484.